

the minimum surface elevation be adjusted more often than on an annual basis.

8. Stabilization.

The Division wishes to enhance its fishery in the Lower Gunlock Reservoir. The fish eggs are generally laid near the surface of the reservoir, and have a tendency to follow the water level upwards if there is any increase in the amount of water stored in the reservoir. The eggs, however, will not follow the water downward if it recedes in the reservoir, and thus if any substantial quantity of water is withdrawn during the spawning period, the eggs are left exposed to the natural elements and may not hatch. The parties therefore acknowledge that the fish in the reservoir require a relatively stabilized condition during the spawning period, which season will fluctuate annually as a result of weather conditions and water temperatures.

The parties also acknowledge that the primary benefit of a storage water reservoir is the ability to utilize water in storage during drought conditions. The parties therefore acknowledge that it is not economically practical for the corporation to be precluded from using its stored water during drought conditions.

The parties therefore agree that the Division shall, upon reasonable notice to be given by May 1st, have the right to annually designate a three week period which must fall within the time period of May 7th through June 13th of each year, and which shall in any event end as of June 13th of each year, during which time the surface elevation of the reservoir will be maintained at a stable level, subject to the following terms and conditions:

(a) During normal or wet water years, which is defined as those years when the natural inflow to the Lower Gunlock Reservoir during the May 7th-June 13th period always equals 15 cfs or more, that the Corporation may make withdrawals from the reservoir, but the outflow from the reservoir shall not exceed the total quantity of water